

Message Text

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42

ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 SCA-01 CU-05 CAB-09 CIAE-00

COME-00 DODE-00 DOTE-00 EB-11 INR-11 NSAE-00 RSC-01

FAA-00 SS-20 SP-03 NSC-07 L-03 PPTE-00 FSE-00 ABF-01

SCSE-00 DRC-01 /099 W

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P R 291631Z JUL 74

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC PRIORITY 4045

INFO AMCONSUL AMSTERDAM

UNCLAS THE HAGUE 3734

E.O. 11652: N/A

TAGS: ETRN, CASC, NL

SUBJ: STRANDEES AT SCHIPHOL AIRPORT; MALCA TOURS AND EDUCATION

TRAVEL SERVICE

REF: HAGUE 3685

SUMMARY: BETWEEN 1,000 AND 1,200 "STUDENT" PASSENGERS INELIGIBLE UNDER DUTCH CHARTER REGULATIONS EXPECTED TO DESCEND ON TRANSAVIA AT SCHIPHOL BETWEEN NOW AND END OF AUGUST UNDER AUSPICES OF EDUCATIONAL TRAVEL SERVICE (ETS), NEW YORK. IN VIEW OF MAGNITUDE OF PROBLEM DUTCH CIVILAIR HAS DECIDED TO WAIVE REGULATIONS SO AS TO PERMIT RETURN OF BONA FIDE STUDENTS TO US AS CONTRACTED BY TRANSAVIA. TRANSAVIA WILL APPROACH CAB ON THIS MATTER. CONSULAR REPATRIATION SERVICES MAY BE CALLED FOR ON BEHALF OF NON-STUDENT PASSENGERS, OR ON BEHALF OF LARGER GROUP IF CAB DETERMINES ENTIRE GROUP INELIGIBLE FOR CHARTER. END SUMMARY.

1. PASSENGER GROUP REPORTED IN REFTEL WAS DISPOSED OF EVENING JULY 25 BY TRANSPORTATION TO NEW YORK BY KLM. CIVILAIR AUTHORIZED TRANSPORTATION OF 98 PASSENGERS AT \$150 EACH TO BE PAID BY ETS. CIVILAIR HAS DELIVERED PASSENGER STATEMENTS AND INFO RE SERIES OF FLIGHTS WHICH ARE BEING FORWARDED TO CAB.

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2. IN FOLLOW-UP VAN GROOTEL OF CIVILAIR DISCUSSED ONGOING PROBLEM WITH LOCAL ETS REP RODNEY O. DREYER JULY 26 AND LEARNED FOLLOWING: FROM 1,000 TO 1,200 PASSENGERS UNDER ETS OR MALCA TOURS CONTRACT WITH TRANSAVIA ARE EXPECTED AT SCHIPHOL FOR TRANSPORTATION TO NEW YORK IN NINE MORE FLIGHTS BEGINNING WEDNESDAY JULY 31 AND SPACED THROUGH AUGUST. PRACTICALLY ALL ARE SAID TO BE BONA FIDE STUDENTS. THERE ARE THREE AFFINITY CHARTER GROUPS SCHEDULED BY TRANSAVIA AMONG SAME NINE FLIGHTS BUT NOT COUNTED IN ABOVE NUMBER.

3. VAN GROOTEL STATED THAT ENTIRE "STUDENT" GROUP IS CLEARLY INELIGIBLE UNDER DUTCH AFFINITY CHARTER REGULATIONS (THREE BONA FIDE AFFINITY GROUPS DO NOT CONSTITUTE PROBLEM). BECAUSE OF DIFFICULTIES FORESEEN IF THESE MASSES OF PASSENGERS ARE STRANDED, CIVILAIR HAS DETERMINED THAT DUTCH RULES WILL BE WAIVED TO ALLOW PASSAGE OF BONA FIDE STUDENTS AS STUDENT CHARGERS, TOGETHER WITH OTHER CONTRACTED AFFINITY GROUPS. ALTHOUGH ETS PRODUCED PAYMENT FOR ABOVE 98 PASSENGERS, CIVILAIR ACCEPTS STATEMENT FROM DREYER THAT ETS IS UNABLE TO PAY EXTRA FOR TRANSPORT AT THIS RATE FOR ANOTHER 1,000. HOWEVER, ETS WILL TAKE RESPONSIBILITY FOR ANY NON-STUDENT PASSENGERS FOUND IN GROUP AND WILL PROVIDE SEPARATE TRANSPORTATION FOR THEM.

4. CIVILAIR HAS MADE IT CLEAR TO ETS REP AND TRANSAVIA THAT ITS ASSISTANCE WILL END WITH WAIVING DUTCH REGULATIONS AS ABOVE AND THAT TRANSAVIA AND ETS HOLD RESPONSIBILITY TO CLEAR ABOVE ARRANGEMENTS WITH USCAB. TRANSAVIA STATED THAT IT WILL APPLY TO CAB FOR NECESSARY AUTHORITY, ACCORDING TO VAN GROOTEL. LATTER EXPRESSES CONSIDERABLE CONCERN OVER ENTIRE CONTRACTUAL ARRANGEMENT BY ETS AND MALCA BUT FEELS MATTER SHOULD BE TURNED OVER TO CAB FOR INVESTIGATION AND FURTHER ACTION RATHER THAN SUBJECTING PASSENGERS AND AIRPORT PERSONNEL TO SPECIAL PRESSURES OF STRANDING. CIVILAIR IS ESPECIALLY SUSPICIOUS OF INVOLVEMENT OF MALCA TOURS IN THIS SERIES OF FLIGHTS, WONDERING IF IN FACT MALCA AND TRANSAVIA ARE WORKING TOGETHER.

5. SOME URGENT REPATRIATION LOANS OR OTHER CONSULAR SERVICES IN AMSTERDAM MAY BE NECESSITATED IF THESE PASSENGERS ARE PREVENTED FROM RETURNING UNDER PRESENT CONTRACT.

6. EMBASSY AND CONSULATE JOIN IN FOLLOWING RECOMMENDATIONS:
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(A) THAT CAB LOOK WITH FAVOR ON ARRANGEMENT TO RETURN PASSENGERS TO US BY TRANSAVIA IN ORDER TO AVOID MASSIVE STRANDEE PROBLEM AND ADDITIONAL BURDEN ON LIMITED CONSULAR STAFF; (B) THAT CAB UNDERTAKE INVESTIGATION OF PARTS PLAYED BY ETS, MALCA AND TRANSAVIA IN THIS OPERATION, FOLLOWED BY APPROPRIATE LEGAL ACTION - AVAILABLE INFO BEING POUCHED TO FACILITATE ACTION UNDER B; (C) THAT DEPARTMENT DEVELOP STREAMLINED REPATRIATION PROCEDURES FOR ANY NECESSARY CASES.

TANGUY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CITIZEN PROTECTION, PASSENGERS, SUPPLEMENTAL AIRLINES, AVIATION REGULATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974THEHA03734
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740205-0753
From: THE HAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974078/aaaaagol.tel
Line Count: 116
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: HAGUE 3685
Review Action: RELEASED, APPROVED
Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 08 OCT 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 OCT 2002 by ThomasVJ>; APPROVED <27 JAN 2003 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: STRANDEES AT SCHIPHOL AIRPORT; MALCA TOURS AND EDUCATION TRAVEL SERVICE
TAGS: ETRN, CASC, NL, MALCA TOURS
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005